

**NCLB and IDEA 2004 Requirements**  
**For Highly Qualified Special Education Personnel**  
**Iowa Department of Education**

***Special Education Teachers***

The No Child Left Behind Act (NCLB) and the Individuals with Disabilities Act of 2004 (IDEA 2004) bring significant changes to Iowa requirements for “highly qualified” special education teachers. These requirements apply to elementary special education teachers and middle and high school special education teachers who teach one or more core academic subjects including English, reading, language arts, mathematics, science, foreign languages, civics, government, economics, arts, history, and geography.

In Iowa, the NCLB and IDEA legislation requires all special education teachers to hold a bachelor’s degree and an endorsement in special education. Special education teachers meet the highly qualified teacher requirements of NCLB and IDEA 2004 through any of the following avenues:

- All special education teachers are considered highly qualified if they provide services through the consultative model and are appropriately licensed by the state of Iowa. The model calls for the majority of students with disabilities to receive core content instruction in the general education setting from a core content endorsed teacher, with the special education teacher providing consultative services. For the small number of students with more significant disabilities (who are expected to achieve at district standards rather than alternate standards), the consultative model allows for delivery of instruction in a segregated setting by the special education teacher with the core content teacher providing consultative services.
- All special education elementary teachers, regardless of instructional delivery, are considered highly qualified if they hold an elementary license and special education endorsement or elementary special education license.
- All middle and high school special education teachers of core content areas, regardless of instructional delivery, are considered highly qualified if they hold a special education endorsement and endorsements for each subject area they teach, or are covered under Iowa’s High Objective Uniform State Standard of Evaluation (HOUSSE). Teachers who have a middle school endorsement or who meet Iowa licensure requirements for middle school or junior high teachers meet the highly qualified teacher requirements.
- All special education teachers whose students are expected to achieve the alternate assessment standards are considered highly qualified if they hold a special education endorsement appropriate to the needs of their students.
- New special education teachers who teach multiple subjects and who carry endorsements in mathematics, language arts, or science, are considered highly qualified in other subject areas if they demonstrate, not later than two years after the date of employment, competence in the other core academic subjects in which they teach in the same manner as is required for an elementary, middle, or secondary school teacher. *Note: “New” means any teacher new to the special education teaching profession.*

The highly qualified teacher legislation went into effect at the end of the 2005-06 school year.

***Consultative Model***

The consultative model calls for the student to receive subject matter instruction through collaborative teaching by the general education teacher and the special education teacher. The IDEA 2004 Conference Committee provided the following broad statement of intent regarding consultative services:

*For the purposes of both NCLB and the IDEA, a special education teacher providing only consultative services to a highly qualified teacher should be considered a highly qualified special education teacher if he or she meets the requirements [of having obtained at least a baccalaureate degree and be fully state certified as a special education teacher]. Such consultative services . . . may include adjustments to the learning environment, modifications of instructional methods, adaptation of curricula, the use of positive behavioral supports and interventions or the use of appropriate accommodations to meet the needs of individual children.*

### *Two Collaborative Concepts*

In Iowa's approach, the consultative model for the majority of students with IEPs can take shape in a number of ways with two defining concepts.

- 1) *Consultation* — In the consultation approach, the core content endorsed teacher provides content instruction and the special education teacher provides strategy and skill instruction to students with Individualized Education Programs (IEPs) outside of the general education class. The special education teacher also services as a consultant to the general education teacher in such areas as IEP accommodations, application of skills in the general education setting, goal progress, and several other areas. This model provides the special education teacher flexibility in meeting the needs of students with IEPs without co-teaching in multiple classrooms.
- 2) *Co-Teaching* — In the co-teaching approach the special education teacher and general education teacher partner in the classroom to meet the content and skills needs of students. This approach can take shape in a variety of manners. For example, teachers co-plan, divide the class, and provide the instruction to smaller groups, or teachers co-plan and then co-instruct different components of the content.

As indicated earlier, for a small number of students with more significant disabilities (who are expected to achieve at district standards rather than alternate standards), the general education teacher can serve as a core content consultant to the special education teacher who provides the instruction. The curriculum is considered under the supervision of the core content endorsed teacher and the special education teacher is responsible for instruction and instructional strategies.

The Iowa Department of Education anticipates that most districts will use the consultative model—either through consultation or co-teaching—to utilize the combined expertise of core content endorsed teachers and special education teachers. The model reflects the intent of the highly qualified components of IDEA 2004. It allows a district to implement the law with integrity without seeking multiple core content endorsements for district special education teachers.

### *Related Services and Paraeducators*

IDEA 2004 requires related service provider and paraeducator qualifications to be “consistent with any state-approved or state-recognized certification, licensing, registration, or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services.” Iowa meets this requirement for all related service providers. Under IDEA 2004, paraeducators who provide services to students with disabilities do not have any new requirements because Iowa's state-approved system for credentialing paraeducators is voluntary.

### *Policy of Measurable Steps*

IDEA 2004 calls for “local educational agencies in the state take measurable steps to recruit, hire, train, and retain highly qualified personnel to provide special education and related services under this part to children with disabilities.”

For more information on the highly qualified personnel component of NCLB and IDEA 2004, contact Norma Lynch at 515-281-6038 or at [Norma.Lynch@iowa.gov](mailto:Norma.Lynch@iowa.gov)

*\*HOUSSE: High Objective Uniform State Standard of Evaluation—a state standard of assurance under NCLB for both grade appropriate academic subject matter knowledge and teaching skills.*

*Note: In addition to IDEA and NCLB federal personnel requirements, Iowa teachers must meet Iowa licensure requirements. For more information on those requirements, contact Jane Heinsen at 515-281-3437 or at [Jane.Heinsen@iowa.gov](mailto:Jane.Heinsen@iowa.gov).*